

U.S. Patent Appl'n. No. 10/822,464
Office Action Mailed August 19, 2004
Am't Dated December 20, 2004 (Monday)

REMARKS

Claims 1-21 are pending, with claim 1, 9 and 16 being the only independent claims. Claims 1-8, 10, 11 and 18-21 are amended herein. No new matter is added.

In the Office Action, the disclosure was objected to for failing to provide the priority information. Applicants have amended paragraph [0001] to correctly cross-reference the parent patent application. Withdrawal of the objection is requested.

Claims 1-8 and 10 were rejected or objected to because of the word *therefor*. In response, Applicants have amended claim 1. (*Therefor* does not appear in claim 10.) Withdrawal of the rejection and objection is requested.

Also, claims 1-21 were rejected as being anticipated by U.S. Patent No. 6,151,874 (Eis) and as being obvious over U.S. Patent No. 4,523,886 (Reeves) in view of U.S. Patent No. 5,778,644 (Janata et al.). The rejections respectfully are traversed.

Eis is directed to an adjustment device for hydraulic cylinders and discloses a pair of accumulators that serve to equalize differences in volume which are caused by the piston movements of the work piston 49 during cushioning and damping of the shocks arising during machine and automotive operation, after the wheel carriage has been adjusted according to the load states to be expected by means of the work cylinder 11 and the line connection of the piston face pressure chamber 44 to the central hydraulics 40 has been cut off by switching the directional control valves 36, 37 by means of the electronic control system 30.

However, Eis does not disclose or suggest at least an electronic programmable controller that controls the valves of the electro-hydraulic circuit to apply hydraulic

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pressure to one of the left and right hand hydraulic cylinders, thereby applying a hydraulic counterweight, as recited in claim 1. Moreover, Eis does not disclose or suggest at least an electronic programmable controller interconnecting switches and valves such that independent manipulation of the switches causes the controller to emit electrical signals to the valves to establish independent *flotation and lift* settings for the left and right hand hydraulic cylinders, as recited in claim 9. Finally, Eis does not disclose or suggest left and right hand hydraulic cylinders that are hydraulically connected such that hydraulic oil is sent to the return side of the respective cylinder on the lighter side of the header, a manually manipulated switch, and an electronic programmable controller interconnecting the switch and the valves such that manipulation of the switch causes the controller to emit electrical signals to the valves to establish flotation and lift settings for the left and right hand hydraulic cylinders, as recited in claim 16.

With regard to the obviousness rejection of claims 1-21 over Reeves in view of Janata et al., Applicants submit that the references are not properly combinable. Reeves is directed to a container handler, while Janata et al. is directed to an apparatus for photocatalytic destruction of internal combustion engine emissions during cold start. The teachings of the references are totally divergent.

In light of the deficiencies in the teachings of Eis, Reeves and Janata et al., Applicants request withdrawal of the rejections.

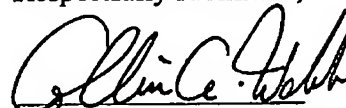
The Commissioner is authorized to charge the extension-of-time fee, or any other necessary fees, to Deposit Account No. 14-0780.

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Applicants' undersigned attorney may be reached in our New Holland,
Pennsylvania office by telephone at (717) 355-4954.

CNH America LLC
Intellectual Property Department
Mail Stop 641
500 Diller Avenue
P.O. Box 1895
New Holland, Pennsylvania 17557-0903

Respectfully submitted,



Attorney for Applicants
Collin A. Webb
Reg. No. 44,396